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[Dooument A.]

MESSAGE

OF THE

EXECUTIVE OF MARYLAND,

TO THE

GENERAL ASSEMBLY OF MARYLAND.

JANUARY SESSION, 1858.

ANNAPOLIS:
BULL & TUTTLE.
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TITLES OF THE RESOLUTIONS.

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1. Resolution in relation to State Wharf, in Baltimore.

2. Concurrent Resolutions in reference to the claims of Revolutionary officers, &c.

3. Resolutions of Instructions to the Senators and Representatives in Congress.

4. Resolutions authorising the Comptroller to examine the accounts of the late Clerk of the Superior Court of Baltimore city.

5. Joint Resolutions authorising the Governor to furnish the President of Calvert College with certain arms.

MESSAGE.

GENTLEMEN OF THE SENATE
AND HOUSE OF DELEGATES:

It has again become my duty to address the representatives of the people, and in obedience to the requirements of the Constitution "to inform the Legislature of the condition of the State, and recommend to its consideration such measures as may be deemed necessary and expedient." The very short time allowed for the discharge of your legislative duties imposes upon you, the necessity of great economy in the employment of your time, and makes it indispensable for the proper transaction of the public business, that the leading and important measures of the session shall be prepared and matured at as early a period as practicable, to the exclusion, if necessary, of all business of a mere local, private or sectional character.

The people of Maryland, in times past, have had much reason to complain that important bills of a public and general character, have been so frequently postponed to the closing hours of the session, when if acted upon at all, they were characterized by the errors, omissions and defects incident to hasty and inconsiderate legislation.

It is earnestly to be hoped that a mere allusion to this custom will, in some measure at least, remedy the evil which has become a matter of such general popular complaint.

STATE FINANCES.

The Reports of the Comptroller of the Treasury exhibit the operations of the Treasury Department for the fiscal years ending September 30th, 1856, and September 30th, 1857. The financial condition of the State continues to improve, and a review of its operations presents very gratifying results for the consideration of the citizens of Maryland, notwithstanding the repeal of the Stamp Tax, at the last session of the Legislature, and also the reduction of the Direct Tax to one-half the amount previously imposed. The condition and operations of the Treasury for the last two fiscal years, under the amended tax laws of 1856, may be more

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clearly exhibited by a connection and comparison with the statement of the preceding year.

The amount of revenue which accrued under existing laws in the fiscal year 1855, was.....$1,618,171 79
" 1856, " 1,609,323 74
" 1857, " 1,610,524 96

The receipts into the Treasury from the revenue accrued in the fiscal year 1855, were..... $948,617 92
" 1856, ... 1,003,160 00
" 1857, ... 958,746 44

The total receipts into the Treasury in the fiscal year 1855, were.....$1,200,762 58
In the fiscal year 1856..... 1,230,522 34
" 1857..... 1,384,705 40

Which last amount includes the $275,770.23 received last year from the United States Government on account of arrears of interest due the State for moneys advanced in the war of 1812.

The disbursements from the State Treasury in the fiscal year 1855, were.....$985,964 53
" 1856, " 1,230,508 05
" 1857, " 1,259,164 40

From which amounts there were paid towards the extinguishment of the public debt by the redemption and cancellation of matured State bonds in the fiscal year 1855..... $374 45
Of State bonds in the fiscal year 1856..... 185,433 31
" " 1857..... 236,855 35

And by the transfer of surplus revenues to the sinking fund in 1855..... $98,617 80
1856..... 56,876 02
1857..... 126,224 78

The total sums applied each year to the extinguishment of the public debt were, in 1855..... $98,992 25
1856..... 242,008 33
1857..... 363,080 13

The surplus revenue existing in the Treasury was, in 1855..... $313,744 01
" 1856..... 310,410 78
" 1857..... 403,019 84

And the arrears of revenue in the hands of collecting officers due from Sheriffs, Collectors, &c., reported each year by the Comptroller as a part of the State's capital and credits were, in 1855.....$672,143 42
" 1856..... 535,193 97
" 1857..... 545,588 28

The Funded Debt.—The nominal public debt of the State at the close of the last fiscal year is reported at $14,919,967.39.

In 1856 the debt was $15,159,692.82; in 1855 it was $15,-132,909.00. The amount of State bonds redeemed and cancelled, as previously stated, in 1856, was $185,433.31; in 1857, $236,855.35, and in both years, $422,288.66. The figures of the public debt, as reported by the Comptroller, do not exhibit a corresponding reduction. The sterling debt having been calculated at $4.44 4-9 to the pound, its value in London, and not at $4.84 its legal value in the United States; a difference of $788,292.78 upon £1,992,875, the amount of the original sterling debt.

The amount of 5 per cent. sterling bonds converted into currency during the past year, was £50,625, and the whole amount of sterling debt now converted is equal in currency bonds to $1,924,021. This conversion of sterling bonds, the interest upon which is payable in London, into currency bonds, with interest, payable at the Treasury, which under the law of 1847, is done by the Treasurer, at the option of the holder of said bonds, will proportionately increase the figures of the debt from year to year, without increasing the State's actual liabilities. By the operation of this law, the expenses, equivalent to the cost of the exchange, and commission for remitting the interest to London, is saved to the State; and also the same charges upon the ultimate payment of the principal of the sterling bonds. The proportion of the sterling debt upon which interest is paid by the State, was on the 1st of January, 1857, £983,850, or $4,372,666.66, and semi-annual interest on that amount, was $121,450.82, and on the 1st July, 1857, £980,850, or $4,-359,333.33, and semi-annual interest $121,000, the cost of sending which interest to London was about 10 per cent. of said interest. Of the amount of the public debt, to wit: $14,919,967.39, the interest upon $3,200,000 is paid in London directly by the Baltimore and Ohio Railroad Company, the State bonds to that amount having been issued for the use of said company. The interest upon the remainder of the public debt, as paid by the Treasurer, amounted the past year to $670,282.70. This interest was provided for as follows:

From the Baltimore and Ohio Railroad Company for dividends upon stocks held by the State $90,636; from the Washington Branch Road, for one-fifth of the passenger receipts $76,038; from the Northern Central Railway Company $90,-000; from Susquehanna and Tide-Water Canal Company $40,559; from other stocks, $40,415.36.

The total interest provided by the Internal Improvement companies, which under the Constitution must be applied to the payment of the public debt was $297,233. The amount of interest which remained to be provided for by the State

from other sources was $373,049.70. The amount of revenue received from direct taxation was $233,303.02; from licenses, $252,273.31; from special taxes, $120,553.53; from other sources $352,616.58.

The Tide-Water Canal Company failed to meet its full obligations to the State; the amount paid into the Treasury by that company, being $40,559, instead of $67,487.50, leaving a deficiency of $26,928.50, which has not yet been accounted for.

The Sinking Fund.—This fund by its own accretion, and by the addition of surplus revenues of the State, has increased from $3,426,749.55, its amount, at the date of my last message, in 1855, to $3,997,276.44. The amount of surplus revenue transferred to the Sinking Fund, which is done by the Treasurer at his discretion, under the law of 1854, was in 1856, $56,875.02, and in 1857, $126,224.78. The interest of the State bonds constituting said fund, has been regularly and judiciously re-invested in State bonds by the Treasurer, who has sole charge of this fund under the laws. The interest of the Sinking Fund, thus re-invested, was, in 1856, $176,640.66, and in 1857, it was $195,111.47. Thus it is a gratifying circumstance that this fund, which at the commencement of my administration in 1854, was but $2,870,704.71, now amounts to nearly *four million of dollars*, and its future increase will be in a greater ratio from year to year.

PUBLIC WORKS.

The large pecuniary interest and liability of Maryland in the four great public improvements of the State, render their successful operation of great importance to every tax payer and citizen. And the advantages to be derived from their active and profitable management is no less important to the agricultural and mineral developement of the State, and the promotion of the trade, commerce, progress and prosperity of the city of Baltimore, and the State at large.

Baltimore and Ohio Railroad Company.—The interest and liabilities of the State in and on behalf of the Baltimore and Ohio Railroad Company amount to stocks in the main stem, $685,600; in the Washington Branch, $550,000: Company's bond, $10,000; 5 per cent sterling bonds issued for the Company, $3,200,000—total interest and liabilities of the State in said Company, $4,445,600, upon which the State received the past year 6 per cent. on the stocks of the Main Stem, and the bond, 9 per cent on the stocks of the Washington Branch, and the interest upon the sterling debt was fully paid by the company in London. The State also received an additional sum of $76,038 for one-fifth of the pas-

senger receipts on the Washington Branch Railroad. The pecuniary aid rendered by the State to this great work has not only assisted materially in its construction, but the road has proved, from its commencement, including the passenger tax of one-fifth, on the washington Branch, a profitable investment.

The annual report of the President and Directors of the Company for the year ending October 1st, 1857, exhibits a continued increase of prosperity. The gross earnings of the Main Stem of the road for the last fiscal year were $4,616,998.95, being an increase of $231,047.48 over the preceding year, and of $905,545.10 over the fiscal year 1855. The working expenses and repairs of the road for the past year were $2,760,785.14, being about 60 per cent., and making the nett revenue $1,856,213.81, from which the company declared a dividend of 6 per cent. on the capital stock amounting to $606,579, after paying interest upon its bonds and other charges. The company has invested the past year in perfecting and increasing the capacity of the road $1,275,144.38.

The revenues from the Washington Branch Road the past fiscal year, were $454,459.84; its expenses were $196,080.25, and its nett revenues were $258,379.19.

The revenue from the Northwestern Virginia Railroad, constituting its Parkersburg Branch, for the three months ending the fiscal year, were $74,223.37; its expenses were $48,072,60, and its nett revenue was $26,150.97. The aggregate revenue of the Main Stem and Branches for the time above mentioned, was $5,145,682.36.

It appears that the "through" and "local" freights of the road, transported westwardly from Baltimore for the past year, amounted to 133,210 tons. The amount of "way" and "through" freight received at Baltimore the past year, amounted to 646,876 tons, of which 490,000 tons were coal, and 58,431 tons were from points beyond Wheeling. The amount of local and through travel on the Main Stem the past year, was equivalent to carrying 36,286,823 passengers one mile, and 1,114,820 on the Washington Branch, and 878,240 on the Parkersburg Branch. The Company last December declared an extra dividend of 30 per cent in script, bearing six per cent interest, to be converted into stock. This dividend did not meet the approval of a majority of the Directors on the part of the State, and the payment of this interest was restrained by legal process, and its legality is now awaiting the decision of the courts.

The Company has failed to declare a dividend for the six months ending 1st October, 1857. This it is said was occasioned by no falling off in the receipts of the road, but adopt-

ed as a precautionary measure in consequence of the pecuniary difficulties of the times. Notwithstanding which, the future prospects of the road, are announced to be of the most promising character, its southern locality and connections, and the cheapness of fuel, giving it great advantages over its more northern competitors.

The Northern Central Railroad Company.—This Company has paid with punctuality its annuity of $90,000, representing the State's interest of $1,500,000 in this work, and no doubt exists of its ability to continue its prompt payments in future. The completion of the road to Sunbury, and its connection with Tide-water at Canton, have been pushed forward with an energy and ability proportioned to the resources of the Company. From the last annual report of the President, and from information subsequently obtained from him, it appears that of the sixty miles reported to be under construction in 1856, twenty-eight miles were opened for transportation in December of that year, and an additional fifteen miles were put in operation as far as Treverton in July last. The remaining portion of the Railway extending from Treverton to Sunbury, (a distances of eleven miles) the northern terminus, and at which point the Sunbury and Erie Railroad commences, and is now operated as far as Williamsport, is now under contract, and will. it is believed, be finished by June next.

A Bridge now under construction, crossing the Susquehanna River 3,900 feet in length, will, it is expected, be completed in February next, when a continuous Railway from Baltimore to Treverton will be fully opened, and by the first of June, will be extended to the terminus of the Railway at Sunbury. The President of the Company in his communication to this Department says: "Although the Railway has been extended during the past year fifteen miles in length, still the nett revenues have not been increased in an equal ratio; amongst the causes to be assigned is the difficulty of drawing business from old to new routes, but principally from the break in the road, having to use other roads between Harrisburg and Dauphin, because of the unfinished bridge referred to above, and on which full local charges are made by the respective companies."

Chesapeake and Ohio Canal Company.—The history of the Chesapeake and Ohio Canal Company continues to be marked with successive disasters and misfortunes. The interest and liability of the State in this work amounts to, for bonds loaned, $2,000,000; stock subscribed, $5,163,724; being over $7,000,000. The canal company is also indebted to the State for arrears of interest about $7,000,000. The State's interest

is subject to $1,700,000 of preferred bonds, and the arrears of interest thereon $550,000, being about $2,250,000; other prior claims exists amounting to about $500,000, and the Company has also a large floating debt amounting to nearly if not quite $1,250,000.

From this statement it must be obvious that the prospects of any revenue to the State from this Company is very distant, if not altogether hopeless. From the last annual report of the President of the Company, and from information subsequently received, it appears that the Canal has been inoperative for a considerable portion of the past two years. The severity of the winter, and the drought of the summer of 1855, closed it for a great part of that year, and other causes contributed to diminish its operations. In February last an ice freshet carried away a great part of Dams Nos. 4 and 5, which after being temporarily repaired, were again destroyed by the occurrence of freshets. The President of the Company animated by the hopeful spirit which characterized his report, succeeded by the most energetic and praiseworthy efforts, in procuring from the friends of the work, a loan of funds sufficient to renew the repairs, when other disasters occurred, which again closed the canal; and lately two heavy land slides, requiring much time and expense to remove have occurred, effectually suspending for the present, all navigation.

The Company now heavily encumbered with debt, appears to be without sufficient means or credit, properly to prosecute the work, and its heavy lossess and repeated disasters seem to have dampened the ardor and destroyed the hopes of the warmest friends of this great but most unfortunate enterprise.

Several propositions were made to the Legislature at its last session, for the disposal of the entire State's interest in this work. One was, for its transfer to the preferred stockholders, or companies representing them, on certain conditions. Another, for its sale to a Northern company, who proposed (of course) to assume all liability to the preferred stockholders, and to give the State in addition $1,000,000 for its interest in the work. These and other propositions failed of acceptance, either because the sum named did not meet the views of a majority of that body, or because the proposals were presented too late in the session to give proper time for the consideration that its importance demanded.

In view of the present condition and prospects of this Company, and of the series of disasters which has marked its career for so many years, should the offer to purchase the State's interest be renewed, and no constitutional objections to the measure be found to exist, after the precedent established in

1853, by the sale of the State's interest in the Susquehanna Railroad Company, I do not hesitate to say that in my judgment the State would be greatly benefitted by the sale of this work at an equitable valuation.

This great work has been completed mainly by the resources of the State, and the State is really more interested in the steady and uninterrupted operation of the canal, than in any revenues she may in future receive. The probability of the more efficient and successful prosecution of the work in private hands, possessing the requisite means to carry forward the enterprise, and governed by a permanent policy in relation to it, and thereby promoting the trade and business interests of an important portion of the State, are considerations to be viewed in close connection with the measure, and decided as your judgments may dictate.

THE FINANCIAL CRISIS.

The universal prevalence of a most serious monetary revulsion, which has involved chartered institutions of our own State, in a direct breach of faith towards the people invites remark from me, and challenges decisive action on your part. I do not feel at liberty to occupy your time and attention with an extended review of the causes which have led to such sudden and wide-spread disaster as we have recently witnessed. They are, however, distinctly to be seen, and comprehended by intelligent men. A condition of life, vitiated by the utmost extravagance, has been apparent in almost every class of society; and this has been indulged under the fatal mistake, that the means and resources thus squandered and taxed, were as substantial as they seemed to be inexhaustible. The same mistake has fostered a spirit of the most reckless speculation which has included almost every variety of property; created unreal values of stock; and in its reckless experiments, frequently seized upon the necessities of life. Auxiliary to all this, there cannot be a doubt that our banking systems have proved ready and facile instrumentalities. To what extent the abuse of these institutions contributed to the universal inflation, and the general artificial condition of all monetary affairs, I am unprepared to say. It is morally certain, however, that an evil of this character, could not have acquired such gigantic proportions, nor have entailed such terrible disaster, but through the agency of institutions which have exceeded the bounds of propriety, in the creation of a fictitious and unsound circulating medium.

I am not disposed to affect a crusade against banking institutions; yet I can but feel impatient of the wrongs they have

inflicted upon society, and with so much cool indifference to the rights of the people.

Created by public favor, and nominally accountable to strict legislation, it is apparent that they pursue a policy dictated in many instances by so much selfishness as to betray a serious disregard of the true welfare of the community. The restrictions under which they are supposed to conduct their business, are easily and readily evaded, and the public are at no time secure against the consequences of an abuse of power which can never be exerted, but to the detriment of the common welfare. We have a humiliating illustration of this fact in the current state of the monetary institutions generally, of our country, and from which, those of our own State claim no exemption.

The Banks of Maryland are now in a state of "suspension." In other words, they are unable to meet their obligations, and every note-holder has the evidence of this fact in his own hands, when he presents it at the counter of the bank for redemption.

This is virtually a condition of bankruptcy, and we know very well that no merchant can continue his business in like circumstances, whatever may be the nominal value of his assets.

Thus we have apparent, an assumption of privilege by an institution in which a whole community may be interested, which is entirely denied to an individual or firm, though but a few may be affected by the "suspension" of the latter. In all this it appears that there is with the people, a disposition to tolerate to almost any extent, the errors and caprices of banking institutions, a disposition, I do not hesitate to say, which could not obtain with a free and self-reliant people, and must therefore be ascribed to a monetary condition, in almost servile dependence upon them.

All this has been strikingly exemplified in the entire acquiescence with which the suspension of the banks in September last was received by the people. For my own part, I have been unable to satisfy my mind, that this act of suspension was not neeedless, as it was arbitrary and unjust.

I am aware that the reason assigned—rather as an excuse than a justification—was the fear that the vaults of our banks would be drained of their specie by New York. I cannot in this plea recognize any special virtue. The specie, however small in amount, thus locked up, against the demands of New York creditors, was at the same time, has been, and is to this day, locked up with equal stringency against the citizens of Maryland. And if they require any unusual amount, they are compelled to purchase it at a premium. I do not understantd that in a state of suspension, the banks are any stronger with specie as a form of assets in their vaults, than

they would be with the specie all paid out for the redemption of so much paper, and their remaining assets in another form. While I can readily conceive that in the latter case, they would have acquitted themselves honorably of their obligations, to the extent of their ability, and so have acquired a better title to public confidence in the future.

I am induced upon a review of the conduct and condition of the banking institutions of the State, exhibited in reference to the monetary exigency, of the times, to commend to your consideration the duty of further legislation for the protection of the public interests and the promotion of the common welfare.

It is absolutely indispensable to a healthy financial condition, that the specie basis of all banks of issue, within the State should be greatly enlarged. And in accepting this as a first proposition, towards a radical reform, it will suggest the propriety of revision and reconstruction of our banking system. I think it will be found entirely consistent with the necessities of the times, and the experience of the people, that banks of issue should have an independent existence under the most rigid legislation, and the constant scrutiny of official authority. And that other departments of the business of banking, should be conducted under general laws, conferring no privilege of issue. I merely make the suggestion; the subject is one which demands patient and intelligent consideration, and addresses itself to the stern patriotism of the representatives of the people.

In appropriate connection with this subject, I beg leave to express my cordial approval of the suggestion contained in the recent report of the present Secretary of the Treasury of the United States, that each of the States inaugurate a policy in conformity with that of the United States, for the collection of its entire revenue in coin. The advantages which would certainly flow from such a practice, would be equally enjoyed by the Government and the people. It would tend to keep the specie in the county, in circulation, and out of the iron custody of the banks. It would exert a most salutary influence over those institutions, and prepare the way for the gradual and early exclusion of bank paper, of the minor denominations, from circulation. In short, it would rapidly establish a specie currency, and diffuse in all the avenues of trade, and commerce, a most healthy and invigorating influence.

Deeply impressed with the value and importance of this advice, I cherish the hope that you will appreciate the honor of placing Maryland at as early a day as practicable, in the condition it proposes.

EDUCATION—COMMON SCHOOLS.

Whatever progress has been hitherto made in our own or sister States, and how much soever we may felicitate ourselves upon our educational policy, still greater attainments are within our reach, and we shall be recreant to our first and highest obligations to the future, if we fail to employ the best means that our judgment and experience suggest for the promotion of public education. I think you will concur with me in the opinion, that whatever may have been the social necessity in relation to this subject, at any time heretofore, it cannot be less now, when the signs of the times are so fearfully significant of the utter destitution of the mental and moral training, which characterize so large a portion of our youth at the present day.

It is with confidence therefore, that I invite your earnest consideration of a topic of the most vital consequence to our present and future well being as a State and people.

In my last message, I employed the opportunity to review at some length the inefficiency of our present legislation on the subject of Common School Education in Maryland, outside of the city of Baltimore. And in making this exception, I refer with pride to the energy, perseverance and enlightened public spirit, which has characterized the friends of popular education in that city, by which its common schools have been advanced to a high state of excellence and usefulness. The State at large, however, with the exception of a few localities, is hopelessly deficient of results which promise any permanent benefit.

In response to my recommendation on this subject, a bill for the establishment "of a uniform system of public schools," was passed by one branch of the Legislature, and failed by a few votes to receive the sanction of the other. Of the details of that bill, or of its sufficiency to accomplish the end proposed, I am not prepared to express an opinion, but I trust the effort to establish some State system, will be renewed at the present session, and with better success.

The total insufficiency of our public school system is painfully apparent to all who realize the importance of general education as the great auxiliary of progress. Schools located and established have only a temporary existence, and effect the most unsatisfactory results, because of the uncertainty of their continuance. Confidence is wanting on the part of the people, and not only does systematic public education become a questionable policy, but education itself, as a positive good, falls in popular disesteem. We need, therefore, an energetic and radical effort, which shall establish a more substantial basis for a State system of public schools,

and at the same time inaugurate a process of supervision and culture, under which thorough efficiency shall be ultimately developed.

In the first place, therefore, I suggest, as indispensable to the end proposed, provision for the appointment of a Superintendant of public schools, whose duty has been prescribed by the act of 1825. To secure the services of a competent person, and his unremitted attention to the duties of his office, it will be necessary to give him a liberal salary, and to allow an adequate sum for the expenses incident to constant supervision. Upon this officer should devolve all the responsibility for the effective and uniform operation of an improved system, for the introduction of such amendments and ameliorations as experience may suggest from time to time; and for such obvious services as properly pertain to his office. It will, of course, be indispensable to a successful prosecution of this work, that the prevailing legislation upon the subject, should be entirely reconsidered and reformed. The privilege now given to each county, to accept or refuse the system, and which thus subjects the education of its children to the caprice of tax payers, should be abolished, and the uniformity of the system be insured by a common responsibility to the Government, encouraged by the manifest benefits that should flow from it. A radical defect in our present system, is to be found in the absence of suitable provision for securing the services of competent teachers. This is a subject of paramount importance, and laying at the threshhold of reform, and extending its influence ceaselessly into the future. It is expedient, therefore, that such measures be adopted as will commence and perpetuate a source of supply, from which the whole State may look for really useful, competent and professional teachers, reared and educated under the auspices of our own institutions, and identified in every respect with the common welfare. I therefore propose the establishment of a *Normal School.*

Assuming that the gravest necessity for the organization of a training school exists, I will develope in outline the plan of such an institute as strikes me to be feasible and suitable to the design. The place for, and the character of the school, are the chief points to be regarded.

It will be readily appreciated by you, that such an establishment must be in connection with some literary institution of standard character. To erect buildings, to obtain the services of a competent corps of professors, to purchase a library, chemical and philosophical apparatus, and a cabinet of geological and minerological specimens, would subject the State to such an outlay of money, as would not, for

a moment, be contemplated, in the present condition of our finances, or within the current estimate of the results to be accomplished.

With my knowledge of the high character and resources of St. John's College, Annapolis, since its late organization, I do not hesitate to express the opinion, that this institution will soon rank with the first colleges of our country, and is better adapted to the purpose than any other within the State. Its locality, in a healthy position, and at the seat of government, indicates its direct advantages; while the large and commodious buildings and grounds, the accomplished corps of professors, its extensive campus, its library, cabinet and scientific apparatus, are sufficient to assure you of the highest eligibility.

On the necessity and propriety of the institution proposed, I need hardly enlarge. Your experience and intelligence will anticipate argument or suggestion. It has its analogy in almost every calling. Professional men do not emerge at once from academic halls. Before they can exercise their profession with a conscientious regard for the interests confided to them, they must have devoted years to the study of the great principles which belong especially to their profession. At this day, a man is not deemed fully competent (without long practical experience,) to till the earth, until he has acquired some knowledge of the nature of soils, the best means for their improvement, and a general acquaintance with the philosophy of agriculture. Beyond question, then, the man to whom the culture of the human intellect is submitted, should be prepared by a special course of training for his work.

In a Normal School, provided as I have intimated it would be, at St. John's College, the purpose defined by the term would be effectually matured. There the student would learn to teach according to rule, and ultimately that rule would become uniform throughout the State, from rudimental to the most elaborate tuition. The material to be furnished for Normal School institutions should consist of a selection of the best and most promising boys in the primary schools, not otherwise determined in their future prospects. The choice might be left to the Orphans' Court for the respective counties, or some competent board of examination; one youth being selected by each county, and one or more from Baltimore city; these youths to be sent to college, where they may be trained for a term of years, carefully and dilligently, at the expense of the State, and with especial reference to the purposes of tuition in the common schools. It is well understood that the State could exercise no obligatory control over youths thus educated; but the opportunity to secure

their services at a remunerative salary, and the preference they would have to others, would constitute a natural relation at once equitable, interesting and respectful. The recovery by the State of a large amount of money from the Federal Government, which by the action of a former Legislature, has been already dedicated to the support of primary schools, makes this an auspicious time to initiate the movement, which I have thus imperfectly presented, and most cordially commend to your favorable regard.

MARYLAND PENITENTIARY.

Herewith I enclose reports, made to me by the Directors of the Maryland Penitentiary, for the years 1856 and 1857. This period has been one of great financial embarrassment to the institution, owing to causes which are fully stated in their reports. The entire destruction by fire of the north wing of the prison, thereby causing the loss of the labor of more than two hundred of the most profitable hands, for upwards of three months; the cost of re-constructing said building with iron roof, and improved means of manufacturing, amounting to near eight thousand dollars; the high price of provisions, and all raw material, such as cotton, yarns, wool, &c., without any corresponding increase in the price of manufactured goods, together with the financial troubles that have affected the whole country, making the sales of goods manufactured in the prison, less than the usual average, have caused the expenses of the institution, for the last two years, to be far greater than its earnings.

The actual difference between the earnings and the expenditures, for the year 1856, is stated to be $13,318.30, eight thousand of which has been met by the annual appropriation of the State, leaving an actual deficit of $5,318.30. The amount of manufactured goods and materials on hand, at the date of the report for 1856, is stated to be $24,172.41. For 1857, the deficit is stated to be $26,189.92, independent of the annual appropriation of $8,000 by the State; and the amount of dry goods and materials on hand, on the 30th of November last, amounting to $20,473.08.

To relieve the institution from present and future embarrassment, the Board of Directors are of opinion, that an appropriation of $50,000, will be required from the present Legislature.

Notwithstanding the necessity of this large appropriation for the causes assigned above, I feel it my imperative duty to renew the recommendation made in my last message, for the enlargement of the prison buildings. The necessity for additional room increases yearly, and the maintenance of the proper prison discipline will soon become a matter of utter

impossibility, with the present imperfect and insufficient accommodations.

The number of convicts in the prison on the 30th November last was 415, of which number more than one-third, nearly one-half, are negroes. In connection with this fact, I beg leave respectfully to suggest to the Legislature, the propriety of repealing or modifying the law of 1845, chap. 340, respecting the punishment of slaves, and their confinement in the Penitentiary of the State. I am fully convinced, that the discretion which was invested in the courts of law, before the passage of that act, touching the sale and transportation, beyond the limits of the State, of slaves convicted of the lower grades of felonies, was well bestowed, and that a similar discretion vested in the Circuit Courts now, would be exercised with benefit to the State, and would relieve the Penitentiary of a large class of convicts, not reformable by our prison discipline, and whose confinement in the prison in such numbers, seems to be attended with such unprofitable results.

CHARITABLE INSTITUTIONS.

House of Refuge.—Among the public institutions worthy of the especial notice of the Legislature, "the House of Refuge for Juvenile Delinquents," holds a prominent place. Although its original charter dates back as far as 1831, it was only in December, 1855, that this true reform school was fully inaugurated in Maryland.

It is mainly due to the liberal contributions of private citizens of Baltimore, with the generous aid of the municipal government of that city, that the great work which now reflects so much credit upon our State, was accomplished. Having visited the institution, I can speak from personal observation, and cannot refrain from expressing my astonishment at the magnitude and substantial character of the building, as well as the moral courage which emboldened the Board of Managers to engage in the erection of so noble a structure; and the perseverance which, through many obstacles, enabled them to complete and put it into successful operation, and all this at a cost which evidences a most economical financial management. At its last session, the Legislature made an appropriation for the *support* of this institution, to be paid in five yearly instalments. The amount thus wisely given for this benificent purpose, was less, indeed, than was asked for, but was gratefully accepted, as initiatory, it was hoped, to a larger acknowledgment of the deserved claims of the institution.

At that time, which was only a few months after its opening, there were about thirty inmates. There are now,

as reported to me on the first of November, 199 inmates, 175 boys and 24 girls; and besides this number under actual care, there have been apprenticed to worthy citizens in this and other States, 36 boys and 11 girls, and discharged to the care of parents and friends, 37 boys and 20 girls, making a total of inmates since the institution commenced operation, (now little less than two years,) of three hundred and four.

The annual report of the Managers for 1856, was duly made to the Executive during the recess of the Legislature, and this, together with that for the current year, in due time will be laid before you. To these documents I would respectfully ask your attention, as the best exposition of the object, the practical working, and the beneficial results of this wise enterprise of philanthropy. It affords me pleasure to commend the "House of Refuge" to the fostering care of the State, especially, as by your appropriation for its support, and the representation of the State in its Board of Managers, it has been recognized as a State institution, with the right of each of the counties to participate in its benefits. Of no public institution within her borders may Maryland be more justly proud, and I gladly embrace this opportunity to leave on record my earnest commendations in its behalf, and to indentify myself among its warmest friends, and thus officially to express my entire approbation of its aims, and best wishes for its success.

I do this the more unqualifiedly from having thoroughly witnessed its operations, in its schools, its workshops, its discipline, its conveniences and comforts, all controlled by the law of kindness and religious education. These things, as thus seen, leave in my mind no room for doubt. The "Refuge, as a Reform School," I consider no longer an experiment; it is an established fact, and one in which all good men must rejoice.

As to the reformatory results of such institutions in the United States, I have been provided with information from authentic sources, that the whole number of inmates under the care of seventeen institutions, organized at various periods, from 1825 to 1856, was 20.658; of whom 16,847 were boys, and 3,811 girls; of this number the average of reform has been about *seventy-five per cent.* Now, when the character of these delinquents is considered, in connection with the pernicious influences upon society, of such a number left and uncared for, to grow up year by year in idleness and vice, and when we look at the statistics of our jails and State prisons, and estimate their cost to the public treasury, it needs no intricate calculations to sum up the beneficial results of such institutions.

To say nothing of the young delinquent himself, what argument can be urged with greater impressiveness upon the legislature, as a question of mere political economy? Regarded simply in this light, the "House of Refuge" wisely administered, is in truth a most profitable institution for the State. To the enlightened and christian philanthropist, in all its bearing upon society, it presents a higher object of interest, pre-eminent in its claims, and demanding the profoundest consideration.

Deaf and Dumb and Blind.—For the fiscal year 1856, there was expended for the tuition of the Indigent Deaf and Dumb at the Pennsylvania Instution, the sum of $2,608.72, and for the year 1857, $2,152.14.

For the Indigent Blind at the Pennsylvania Institution, for the year 1856, there were expended $950, and for the year 1857, $500.

For the Indigent Blind at the Maryland Institution, for the year 1856, there were expended $1,737.08; and for the year 1857, $4,016.60.

But six warrants have been issued to beneficiaries to the Deaf and Dumb Institute since my last message, two of whom have not been reported as admitted. There were at last report, fifteen pupils in the Institution, enjoying the beneficence of the State.

In the Pennsylvania Institution for the instruction of the Blind there are but two beneficiaries of this State whom it is deemed advisable to permit to remain and complete their edueation.

In the Maryland Institution for the instruction of the Blind, there are eighteen pupils. These together with the two now in the Pennsylvania Institution, make up the number of twenty, for whose education and support the State provides. The report received from the Superintendent represents that the moral, social and intellectual advancement of the pupils has been all that could have been reasonably desired. The Institution can no longer be regarded as an experiment. All it needs is the means to carry on, and enlarge the plan now successfully initiated to elevate an afflicted, but most interesting portion of the human family. The departments, with the exception of subsistence and raiment, are scantily supplied, and the deficiencies in the apparatus of the school, the furniture of the house, &c., subject the officers to considerable inconvenience.

In addition to private subscriptions, the President and Directors have contributed at least $10,000, and there is still a debt of $6,000 upon the property, the interest of which has to be supplied from the annual income.

There is abundance of ground, but no means to enlarge the building, so as to make it suitable for the purposes required, or to build the work-shops necessary for the development of the pupils, so as to render them more independent and their labors more valuable. By providing for the education of thirty, instead of twenty indigent blind pupils, and appropriating $15,000 for 1858, and a similar amount for 1859, it is thought that the Institution will receive an impetus which will place it upon a permanent basis approximating to that of simlar Institutions in other States. With a view to this, I earnestly recommend it to your favorable consideration. It is a noble charity, and its continuance and prosperity will reflect undying credit upon its friends.

Maryland Hospital.—I have received from the President and Visitors of the Maryland Hospital for the Insane, a communication calling my attention to the financial condition of that Institution, from which it appears that the income derived from the several counties and the city of Baltimore, amounts annually to about $6,000, and the income from individual sources to about $15.000, making a total of $21,000. Previous to the last three or four years, the Institution has been able to sustain itself, but since that time the increase in the price of provisions, the rise of wages of attendants and servants, have made it impossible for the corporation to meet its liabilities, and have entailed upon it a debt of nearly $8,000. Hitherto the State has contributed no means for the care of the Insane, except for buildings. All the current expenditures, improvements, repairs, &c., have been wholly dependent upon the resources above alluded to. The annual cost to the Hospital for supporting the insane poor, is much greater than the amount now paid for them. The Chief Executive officer, as also the Board of Visitors, estimate that the charge of $150 per annum, is requisite to supply to each lunatic pauper, food, clothing and other necessaries essential to their health and comfort, instead of the amount now provided for under Resolution No. 65, of December session, 1838.

To liquidate the debt above mentioned and to make the improvements necessary to render the Hospital worthy to rank with similar institutions of other States, the aid and generosity of the Legislature is invoked, with the earnest hope that the suggestions made for this unfortunate class of our citizens may meet with a cordial and ready respone.

I have also received a communication from the chairman of the Board of Commissioners, to superintend the building of the Hospital for insane persons, near Catonsville, stating that no less than $50,000 would be required for it the coming year. If the work be suspended, much damage will doubt-

less accrue to the walls, &c., by reason of their unprotected condition. The Commissioners were at one time in hopes that the State would be spared the necessity of building this Institution at its own expense, on account of the liberal bequest made for the Sheppard Insane Hospital, but it appears that the Trustees of this, fund do not feel themselves authorized, under the terms of the bequest, to make this Institution a public one, in the full sense of the word, but only to permit such patients to remain in the asylum, as may be pronounced by the medical superintendent as curable. It is for the Legislature to decide whether this work at Catonsville is to progress, and if so, to make such appropriations as will enable the Commissioners continuously to prosecute it until completion.

EARLY HISTORICAL PAPERS.

At the request of several gentlemen who have been much engaged in historical researches, and upon their authority, I beg leave to call the attention of the Legislature to the fact, that there are now in existence in the Colonial Office in London, and in Zion College Library, many valuable papers which relate to the ante-revolutionary history of Maryland, without which the history of that period cannot be complete, nor fully or correctly written. And also, that there are still documents and papers, amongst the archives in the Propaganda at Rome, of much historical interest, and illustrative of the early provincial history of Maryland, copies of which could propably be procured at a trifling cost.

Mr. J. H. Alexander, a citizen of this State, and well known for his literary and scientific attainments is now in Europe, and I am informed, cheerfully consents to procure for the State, if so desired, such transcripts or copies, if said papers are in existence, and of real value.

I therefore respectfully recommend that authority be given to Mr. Alexander, or some other competent person, to procure for the use of the State Library, copies of such original papers if they can be obtained on reasonable terms.

LAWLESSNESS IN BALTIMORE—ELECTIVE FRANCHISE.

In the last communication which I had the honor to address to the General Assembly, I took occasion to advert in very decided terms to a new element, which at that time had recently been developed in political controversy, under the fosterage of secret societies. I can claim no peculiar sagacity, upon a review of the language, in which I then deprecated the evils inseparable from policy, in direct antagonism to the letter and spirit of our institutions. Events which have tran-

spired within our own borders since that period, have abundantly verified my anticipations, and justified the earnestness with which I invoked the most "rigorous exercise of public virtue, that the tide of evil flowing in upon us might be restrained." But the sincerity with which I presented the subject to the consideration of my fellow-citizens, proved of no avail. The evils have since fallen upon us full blown and most pernicious ; and we have learned in the severe school of experience, the perilous extremity, I trust, to which outrage, fraud and violence may be carried, by the proscriptive frenzy of lawless and irresponsible men, banded together for the accomplishment of political ends.

A decent respect for the opinions of my fellow-citizens, a due concern for the dignity of the office I fill, and a proper regard for my personal honor, induce me to employ the present occasion for a dispassionate review of a series of events, intimately connected with our domestic policy, and entitled, apart from any concern I may entertain with regard to myself, to your serious consideration.

At the outset, in view of the wanton preservation of truth, the unaccountable ignorance of the theory and practice of our system of Government, or the manifest stultification exhibited by many who affect to enlighten the public mind, I am almost at a loss to speak. The absurdity of their animadversion is beneath criticism, and ludicrous in the extreme. Nevertheless, in pursuing my purpose, I shall quietly dispose of the several errors, which seem to have furnished the principal material, equally of the argument and the abuse, levelled most gratuitously at the service I deemed it proper to interpose, for the maintainance of peace in the city of Baltimore, and the protection of her citizens in the exercise of their rights.

At the municipal election in Baltimore, held in October, 1856, an organized force was made apparent at the polls, which in its direct influence, was immediately felt by naturalized citizens. This class of voters was to a considerable extent excluded from the exercise of suffrage ; many of them beaten, and others overawed and deterred by violence from visiting the polls. Such were the representations made to me, asserted by a portion of the press of that city, and measurably conceded by all.

In the course of the day, bloody and destructive riots took place, and the subsequent record comprehended a list of killed and wounded truly appalling. The city was temporarily outlawed by its own fury, and it is beyond all question with me, that could the Executive authority have commanded military power at the moment of the emergency, it would have been my duty *then* to have interposed, and overwhelmed

a lawless demonstration, clearly defiant of the municipal police. As the time approached for the Presidential election in November, 1856, apprehension generally prevailed, that a recurrence of similar scenes was inevitable. Political sentiment and party animosity were alike demonstrative, and violent, and peaceable and orderly citizens, and especially naturalized citizens, were utterly hopeless of those decencies and proprieties essential to the freedom of suffrage. In short the large body of citizens composing the Democratic party, within the city of Baltimore, saw the day of election approach, under the assurance that they would not be suffered to record their votes, and on the other hand, would be exposed to the consequences of the most reckless frauds. I repeat these assertions as they were made to me ; and in view of the returns of most of the wards of the city, I have no hesitation in thus officially laying them before you.

On the eve of the Presidential election, I proceeded to Baltimore, and sought an interview with the Mayor of the city, in the vain hope of such a co-operation of influences, and moral and material power, as would ensure the peace of the city, prevent bloodshed, and secure to every citizen without respect to party, the exercise of his political rights. My overtures were repulsed with cold civility. I was thrown upon my personal and official responsibility, before an important and respectable community, for the initiative in a measure which the exigency of the time demanded, and the Executive of the city was indisposed to adopt. The day of election was then too near at hand, for me to mature under my official authority, and by my independent act, a force adequate to the probable necessity which menaced the occasion. I accordingly left the full measure of accountability with the Mayor and his subordinates. How fearful that accountability was, the sanguinary deeds of that election day have sufficiently proved. Again, party animosity run riot throughout the city ; the most desperate encounters took place, in which hundreds of infuriated partizans were engaged ; arms of all kinds were employed ; and bloodshed, wounds, and death, stained the record of the day, and added another page of dishonor to the annals of the distracted city. I retired from the scene, convinced that all this might have been prevented, and not without a painful sense of duty unfulfilled.

A year glided away, and with the fall of 1857, the political elements were again stirred for the election contests of the season. In the meantime the civil condition of the city, had become more sensibly demoralized. The press, without distinction of party, was teeming with every day sreport of wrong, outrage, violent encounters of partizans, desperate assaults and homicides. These things thus grouped, are but the cata-

logue of deeds transpiring in rapid succession, and culminating in frequency and ferocity, as the day of the municipal election drew near.

Since the election of the preceding year, a new and enlarged organization of the city police had been made, and I was not without hope, that it would exert a conservative force, in some rational proportion to the emergency of the occasion; I was assured by numerous gentlemen of the city that they expected nothing of the sort, and they referred to the daily record of violence as abundant proof of its inefficiency to subdue even preliminary disorder. The day of election came and passed, and although the bloody scenes of the preceeding year were not re-enacted, violence was every where in the ascendant; outrages were perpetrated with entire impunity, and many thousands of the citizens were, by causes beyond their individual control, deprived of the exercise of their suffrage. In a word the Democrats of the city, both native born and naturalized, were, to an extent that a few years since, would have been absolutely incredible, virtually disfranchised. Facts exist, and are available in abundance for the verification of what I thus assert, and publicity has been given to current outrages of the day, in one ward, of the city, (and that ordinarily one of the most reputable,) attested by the vouchers of many highly respectable citizens.

The experience of that day was presented to me by several eminent citizens of Baltimore, as the sufficient proof, that the municipal authorities were wholly inadequate, from some cause, to cope with the fierce organization which held absolute control of the polls. I was assured and convinced the people of Baltimore, were inextricably involved within the grip of a dilemma. On one side was a party disfranchised by lawless violence, with which it was unable to cope, on the other, a party sustained by violence, which, even the most honest and upright of its members were unable to repress and restrain; while the city authorities themselves were either unable to grapple effectually with the diabolism broke loose in the community, or unwilling to provoke the retaliatory spirit of a desirable but furious ally. Such was the condition of affairs in Baltimore, when the most urgent appeals were made to me, to exert the authority vested in the Executive of the State for the protection of her citizens against intestine disorder, and to see that the laws were executed. I did not feel at liberty to hesitate longer in the performance of a duty evidently incumbent upon me. It was not for me to consider the contingencies of political antagonism, or a perverted public sentiment. My duty was plain, and I had no alternative but to perform it; and to leave the sequel to the people themselves. I realized no accountability in an

utter failure to rally a single man to the service, to which he might be called. It was my duty to present such a statement of facts as had been laid before me, to exhibit the remedy, and to use the proper means for the application of it. To this end, responding to the entreaties of gentlemen, earnest in their avowals of co-operation to any necessary extremity, and in full compliance with my own sense of duty, I visited Baltimore. Immediately upon my arrival, I addressed the Mayor of the city, and invited his counsel and co-operation, in devising and putting into practical effect, means adequate to the impending emergency. Again was my overture repulsed, and this time the Executive authority of the State coolly and gratuitously disputed. The object which I had in view, requiring in my judgment, the most prompt and rigorous measures, would not admit of the delay incident to an empty controversy about well established constitutional authority. Accordingly in the execution of my purpose, I at once initiated preliminary measures towards the summary and effective organization of the Militia, and on Thursday morning, October, 29th, issued a Proclamation informing the people of Baltimore, what I had done, and further contemplated for the preservation of the peace, and to secure to the legal voters of the city, their rights against violence and intimidation.

Orders were issued to Major General George H. Steuart, to hold his command, the 1st Light Division M. V., ready for service at a time specified; and to Major General John Spear Smith, to enrol and embody without delay, six Regiments of not less than six hundred men each, to be ready for service at the same time. These orders were responded to by the General Officers, with immediate measures in pursuance of the purpose in view. Having thus initiated proceedings I took occasion to reply at some length, to the very remarkable propositions advanced by the Mayor of Baltimore, in his letter to me; and renewed my solicitation that he would co-operate with me in a harmonious effort to assert the supremacy of the laws. The Mayor rejoined briefly, declining to discuss any point at issue, remarking that the responsibility was with me, a fact which I had well considered from the first, and had resolved to bear with me to end.

The measures which had been set on foot, progressed during Friday and Saturday, the 30th and 31st October, and reports were made to me from time to time. From these I had no difficulty in gathering the conviction, that whatever effort might be made by the military officers to embody the proposed force, the result would be unsatisfactory and inadequate. This was of course a sufficient cause of official em-

barrassment, and a result entirely at variance with what I had been led to expect.

Misrepresentation and voluble abuse from the press, together with the assiduous diffusion of the most erroneous sentiments respecting the Executive authority, and the proceeding I had taken, no doubt, had their effect upon the public mind. There was, moreover, and had been for so long a time, a peculiar tolerance of the lawless element to be subdued; and a species of infatuation pervading a large portion of the community, which affected or amounted to, a morbid ignorance of its true character; in consequence of which, the class of citizens from whom military service was mainly to be expected, exhibited first, indecision, and at last unwillingness to respond to the call which had been made upon the community.

I need hardly say, that however, a portion of the people, or of the press found cause to rejoice in this state of things, and its obvious consequences, I was made painfully sensible of a total perversion of political sentiment, and an indifference to the security of equal rights, wholly inconsistent with the spirit of our institutions. I had been invited to exert the extreme Executive authority, in a community notoriously without sufficient or effective municipal power for the protection of its citizens against outrage and violence, and for the execution of its own laws; and when in obedience to my own sense of duty, I assumed the undelcomed task, I found a complaining people more willing to submit to the grievances which oppressed them, to the lawlessness which disfranchised them, to the terrors which overawed them, than to rally in their strength, and vindicate their outraged rights, and insulted honor. Justly and truly indignant at such a result, I resolved to maintain my own, and pursue the purpose I had undertaken. In this resolve I was sustained by a few gallent, earnest, and faithful men, and by the spirit with which one, at least, of the military officers was responded to in the district assigned to him. In this case there was an enrolement of volunteers, prompt, earnest and effective. And so long as there was but a maniple of true men, willing to stand for their rights and honor, I determined that they should at least, have the full sanction of what I had done, and my personal interest in the matter until the emergency was passed.

On Sunday, the 1st of November, for the first time, a detailed exhibit was made to me of the special and extraordinary arrangements matured by the Mayor for the maintenance of the peace and the protection of the citizens in the exercise of their rights at the approaching election. The sub-

mission of these arrangements for my consideration then, which were withheld from me on my first arrival in the city, was the result of some consultations brought about through the intervention of several gentlemen, representing the respective views of the Mayor and myself. This plan was in terms plausible; it had the appearance of sincerity of purpose, and I doubt not, was offered, in good faith. I must confess, however, that had the proceedings I had commenced been sustained with all the vigor the occasion required, I could not have withheld the conciliatory step, I deemed it proper to take, in view of the arrangements submitted for my consideration by the Mayor, and especially as each of the gentlemen with whom I was in consultation, seemed to be entirely confident of the sufficiency of the arrangements which had been now adopted. Under this impression I was urged to withdraw my proclamation and to rescind all military orders. I positively refused under any circumstances, to comply with any proposition which included such a stipulation. First, because it had the appearance, at least, of a surrender of my constitutional authority, at a time when violent opposition to the laws was openly threatened; and secondly, because I knew not what exigency might arise on the day of election. But in deference to the opinions of gentlemen in whom I then had, and still have, great confidence, who were citizens of Baltimore, and who knew more of the local condition of affairs than myself, I consented to an announcement, that in view of the sufficiency of the arrangements just made, "I did not contemplate the use of the military force which I had ordered to be enrolled and organized," on the day of election.

In this state of public affairs the day of election approached. A form of suffrage was observed under circumstances defiant of the execution of the laws. Riot in its vociferous and most formidable aspect did not occur, but I was made the recipient of almost ceaseless complaints of outrage, violence, and organized ruffianism at the polls, whereby multitudes of citizens, native and naturalized, were deterred from voting. I was powerless for their protection. The opportunity was past in which as a lawful and enrolled force, they could have exhibited a moral as well as material power, against their assailants. They were at the mercy of a mob, and without protection from the civil power.

Abundant evidence from respectable citizens in all parts of the city could be obtained, to prove a state of society verging upon the fiercest anarchy; outrages almost incredible, in a civilized community; and the ubiquity of an organization which prevailed by violence to the exclusion of voters at will,

and controlled means and resources for the most pernicious and daring frauds. It is beyond all question, that such wrongs were perpetrated on that election day, as have no parallel in the election annals of our country, but in Baltimore itself; and this too, under the official assurance of municipal power, and of a police organization, and a plan of operations adequate to the emergency. Such a result has abundantly justified the movement I deemed it proper to make, and proves that the execution of the laws for the maintenance of civil and political rights, has been violently resisted and stayed, while the Executive authority has been powerless to enforce it.

This is anarchy: and the issue of such a condition of things under our system of government is political confusion. The formal power it creates is an essential tyranny. It sways a spurious sceptre over a people despoiled of their rights, and its career must be in profligate antagonism with law, order, and good government.

Such is the outline of a political era, and its disgraceful character, in the history of Maryland. A narrative of events transpiring in the city of Baltimore, the commercial metropolis of our State: and in the midst of a community graced by high culture, religion, morality, social refinement, and all the excellencies and elegancies of civilization.

Before I leave this branch of the subject, I would take occasion to remark, that under a sense of duty not left to my discretion, I have issued Commissions to all those persons who appear by the certified official returns from the city of Baltimore, to have been elected to the various offices. At the same time I record my deliberate opinion that the election was fraudulently conducted; that in the exclusion of thousands of people from the polls, there has been no expression of the popular will; and that the whole of the returns from that city are vicious, without a decent claim to official recognition anywhere, and in all their character a gross insult to our institutions and laws, and a most offensive mockery of the great principles of political independence and popular suffrage.

Justice to myself, as the chief executive officer of the State, will not merely allow, but demand, a brief review of the animadversion to which I have been exposed, for the purpose of correcting baseless errors, seduously diffused by the press, and thrown broadcast over the land.

Prominent among these, and most flagrant, was the assertion that the Governor of Maryland had "DECLARED MARTIAL LAW IN THE CITY OF BALTIMORE." That a statement so absurb, should have been made at all, is almost unaccountable. But

that it should have found currency with any intelligent portion of the press is inexplicable. I learned that the original statement was dispatched from Baltimore by Telegraph, and this may have led to the general error abroad. But notwithstanding, that it was followed by the proclamation itself, the assertion was maintained with a pertinacity of which truth itself alone is worthy. And grave dissertations based upon this false assumption, flourished in the press of other States, and were copied into those of our own without a word of contradiction, while journals of Maryland continued their iteration of the falsehood to the last. In all this, added to the most malignant personality, there is a humiliating illustration, of the licentiousness in contradiction to the liberty of the press.

Martial law subjects a community exclusively to the dominion of military authority. To declare this law in civil communities is to supercede all civil authority, to establish in the place of the ordinary tribunals of justice, court martials for the trial of all offenders whose proceedings are conducted exclusively under military supervision and control. The power to declare martial law is not vested in the Executive of the State of Maryland, and its exercise was never for a moment a matter of the slightest contemplation. What was done in Baltimore is a matter of even frequent occurrence. That it shall not become still more so, is a matter for the corrective influence of the people themselves. Nor was this the first time that I have been called to Baltimore to authorize the employment of military force. As recently as the spring of the present year, it became my duty to employ the services of the military for the defence of the property of the Baltimore and Ohio Railroad Company, and the suppression of an organized mob upon the line of the road beyond the limits of the city. At that time no whisper was heard of martial law; on the contrary, so general was the sense of the necessity for the employment of military force, that I have yet to learn of opposition from any quarter whatever. Even the Board of Directors of that Company, not remarkable for general concurrence of opinion, was represented to me as a unit upon that question.

A frivolous objection has been urged to military preparation in advance of an actual outbreak of violence. This is a thing so common as to preclude argument about it; in fact the Constitutional power vested in the Executive to enforce the execution of the laws would be an absurdity without it, and implies the duty of abundant preparation. I may instance the fact, that in our own State a military force was sent a few years ago, from the city of Baltimore, to one of

the counties to prevent a prize fight. The Governors of States are constantly in the habit of guarding the jails with a military force when there is danger, or even threats, of summary punishment of criminals by popular violence. In some cases convicts have been guarded by military force, until the day and act of execution was over, to protect them against a mob. And I saw, but a few days since, an account of the execution of a malefactor, upon which occasion an artillery company was paraded, and served as an escort and guard, when there really had been not the slightest demonstration of popular violence. In Boston, it will be remembered, the President of the United States authorized the use of the military to aid the Marshal in executing the Fugitive Slave Law. But it is not without a sense of humiliation that I notice such captious and frivilous objections, and therefore shall not multiply instances in point.

One other popular error, in connection with this subject, and I have done. It has been urged with more zeal than intelligence, that I have done violence to the Bill of Rights of Maryland, which says:

"Art. 27. That in all cases, and at all times, the military ought to be under strict subordination to, and control of the civil power."

In connection with the foregoing, I quote two sections from Art. 1 of the Constitution of Maryland, as follows:

"Sec. 9, The Governor shall be commander-in-chief of the land and naval forces of the State, and may call out the militia to repel invasions, suppress insurrections, and enforce the execution of the laws: but shall not take command in person, without the consent of the Legislature.

"Sec. 10. He shall take care that the laws be faithfully executed."

These two sections devolve the entire discretion and responsibility upon the Governor, refer to the whole State, including all its cities and counties, and recognize no co-ordinate authority any where, or in any individual. He is not required to wait the initiative of any subordinate civil power. On the contrary, it is as much his sacred duty to "take care that the laws be faithfully executed," and to use military power for this purpose, if necessary, as it is to perform the simplest duty of his office. Indeed the superior importance of the duty in one case—if I may allow grades of importance in official duty—enhances at once his obligation and responsibility before the people, with respect to its performance. And, in a matter touching the right of suffrage, and the purity of the ballot-box, his obligations are paramount, especially when the rights and interests of the people of the

whole State are identified with the issue. In relation to my interposition in Baltimore, although my proceedings were local as respects the purpose to be accomplished—the maintenance of the peace, and the security of the elective rights of its citizens, yet the interests of the whole people of the State were also involved. It was therefore quite as proper for any citizen of the State to direct my attention to affairs in Baltimore, as it was for any citizen of Baltimore itself. It was indeed my duty to act without suggestion or invitation the moment I became satisfied that "the execution of the laws" would be forcibly resisted or stayed.

It was my duty, and I recognize it to the fullest extent, to discriminate between such disorder and disturbance, as is almost inseparable, to some extent, from popular elections, under ordinary circumstances, and the lawlessness, outrages, and crushing violence of a powerful, reckless and irresponsible organization; and then to act. This I have done, and I willingly assume that responsibility.

In authorising the use of the military, the Executive necessarily acts as Commander-in-Chief, but under the Constitution, he cannot, of his motion, forego in the minutest degree, his civil capacity. In ordering out the military, and directing the enrolment of militia, he is only acting as a civil officer. The direct military command of the forces must be in the officers commissioned by him. And the extreme resort to be determined upon in the actual emergency, is left entirely to the judgment and discretion of these officers. Thus, it will be seen, that "in all cases, and at all times," the military is, literally and virtually, in "strict subordination to, and control of, the civil power."

Before leaving this unwelcome theme, allow me to declare, frankly, by what motives I have been impelled thus to discuss it at some length I might, very justly, have employed this occasion for the vindication of my personal honor. I have been wantonly traduced; and no terms seem to have been too vile for a portion of the public press in characterizing the arrogance, ambition, wickedness and folly ascribed to me. But in the present state of society, these things are too common to excite resentment, and generally too groundless to command credence. I do not presume to enlist your attention to any mere personal considerations; a proper sense of the dignity of the Executive office itself, has alone induced me to examine and refute the errors, which have been assiduously diffused in reference to my official acts. I was determined that it should not be truly said of the Governor of Maryland, during my administration, that he had transcended his authority; "declared martial law," made

the civil subject to the military power; invaded the rights of a chartered city; or done any one of the illegal acts attributed to him. I leave these fabrications with those who originated them; to reconcile their ignorance or mendacity, if they can, with the simple but incontrovertible truths which I have felt it my duty thus to spread before you.

I have thus employed this occasion for a personal, as well as an official exposition of popular error, because it is the proper and only channel through which the Executive of the State can consistently communicate with the people. He controls no organ, has no relations with the press, and should desire neither. It is his province to wait his opportunity, and in communication with the representatives of the people, command the ear, and solicit the reason of the people themselves.

MILITIA—THE PUBLIC ARMS.

I herewith submit a communication from the Adjutant General of the State, to the Executive, in reference to the present condition of the Militia of Maryland. It contains many valuable suggestions, and is eminently worthy of your consideration. It is proper for me again to remind you, that the Legislature have failed, as yet, to pass any law for the enrolment of the militia, although expressly required to do so by the 9th article, section 1, of the Constitution. With the exception of the volunteer corps in the city of Baltimore, and a few uniform companies in three or four counties, there is, in truth, no organized militia in the State. There are scarcely any "official returns" to the Adjutant General, and in the event of a call being made, in a sudden emergency, upon the militia, to "repel invasion, suppress insurrection and enforce the execution of the laws," the State would be literally without men, and without arms. The existing statutes, requiring the Adjutant General to furnish arms when applied for, to all volunteer and uniform companies, has squandered a large amount of the public arms without any corresponding or adequate benefit to the State, and left the armories destitute of a sufficient number of arms for any public emergency.

On the occasion of my late interposition in Baltimore, I deemed it proper, in the discharge of a high public duty, to apply to the Governor of Virginia for a loan of two thousand muskets to arm the force which I contemplated calling out for the preservation of the public peace in Baltimore, and the protection of her citizens in the exercise of their political rights. My position, and the necessity of immediate action were fully appreciated. With a promptness, generosity and courtesy characteristic of the distinguished Governor of

that State, the necessary orders were immediately given for the transportation to this State of the arms required. For this act of comity, the Governor of Virginia is entitled to the thanks of all who desire to see our laws faithfully executed, and the supremacy of constitutional authority maintained. The exigency and necessity for such a call could only be properly judged of and determined by the Executive of Maryland, who assumed that duty with a full knowledge of its responsibility. A portion of the arms arrived in Baltimore, the rest were detained by my orders in Washington, and, at the proper time, returned to the Governor of Virginia.

CONTINGENT FUND.

I herewith transmit, as required by the Constitution, a statement of the disbursements from the Executive Contingent Fund, for the last two years, and respectfully ask that you will appoint a committee to examine my vouchers for the expenditure of this fund, as well as for the expenditure of the sum of $4,000, appropriated by the act of 1854, to repair and furnish the Government House.

In closing this communication, already too much extended, I avail myself of this opportunity to express through you to my fellow-citizens of the State, my sincere acknowledgments of the honor conferred by the high measure of confidence they have reposed in me, and which will ever be gratefully remembered and cherished.

Upon you, gentlemen, in this juncture of our affairs, devolves the duty of vindicating and protecting the great first principle of our political existence, that all government derives its just powers from the consent of the governed. If this be obliterated, and the expression of the public will suppressed by force or fraud, we cease, practically, to be a free people, and our theory of government becomes a failure.

I fervently implore for the State and all her interests, the continued protection of Divine Providence, and for her public servants the guidance of wise and patriotic counsels.

T. WATKINS LIGON.

EXECUTIVE DEPATMENT,
January 6th, 1858.